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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 08 - 00818 - JW
	)	
Plaintiff,	)	
	)	STIPULATION AND [PROPOSED]
v.	)	ORDER EXCLUDING TIME
	)	
MICHAEL JOHN ROLLERSON,	)	
	)	
Defendants.	)	SAN JOSE VENUE
	)	
	)	

On February 23, 2009, the parties in this case appeared before the Court for status conference. At that time, the defendant pled guilty, without the benefit of a plea agreement, to Count One of the indictment. Sentencing was set for May 11, 2009. The parties then jointly requested that Counts Two through Six be continued for status until the same date, May 11, 2009, which request was granted. In addition, the parties stipulated to exclusions of time under the Speedy Trial Act. The basis of this request was the defendant's need for effective preparation of counsel. The parties therefore agree and stipulate that an exclusion of time is appropriate.

1 SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

2  
3 DATED: 3/17/09

\_\_\_\_\_/s/\_\_\_\_\_  
THOMAS M. O'CONNELL  
Assistant United States Attorney


4  
5  
6 DATED: 3/17/09

\_\_\_\_\_/s/\_\_\_\_\_  
CYNTHIA LIE  
Counsel for ROLLERSON

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8  
9 Accordingly, for good cause shown, the Court HEREBY ORDERS that time is excluded  
10 under the Speedy Trial Act from February 23, 2009 to May 11, 2009. The Court finds, based on  
11 the aforementioned reasons, that the ends of justice served by granting the requested continuance  
12 outweigh the interest of the public and the defendant in a speedy trial. The failure to grant the  
13 requested continuance would deny defense counsel reasonable time necessary for effective  
14 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
15 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
16 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

17 SO ORDERED.

18  
19 DATED: \_ March 23, 2009 \_

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge